



CARSTENS YEE & CAHOON, LLP  
P O BOX 802334  
DALLAS TX 75380

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**APR 08 2004**

In re Application of  
Knoerzer, et al.  
Application No. 10/685,186  
Filed: October 14, 2003  
Attorney Docket No. CFLAY.00193  
For: FLEXIBLE FILM PACKAGING  
HAVING REMOVABLE STRIP

**OFFICE OF PETITIONS**

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: DECISION ON  
: PETITION  
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This is a decision on the petition filed February 6, 2004 (certificate of mailing date February 2, 2004) requesting that Figures 9a and 9b be accorded a filing date of October 14, 2003. The petition will be treated under 37 CFR 1.53(e).

The application was filed on October 14, 2003. On January 21, 2004, the Office of Initial Patent Examination mailed a "Notice of Omitted Item(s) in a Nonprovisional Application" informing petitioners that Figures 9a and 9b, as described in the specification, appeared to have been omitted.

Petitioners request that Figures 9a and 9b be accorded a filing date of October 14, 2003 on the basis that 7 pages of formal drawing figures, including Figures 9a and 9b, were received in the Patent and Trademark Office (PTO) on October 14, 2003. In support, the instant petition is accompanied by a copy of applicants' itemized postcard receipt showing an Office of Initial Patent Examination generated barcode citing October 14, 2003 as the date of receipt. The postcard lists, *inter alia*, that the filing included 7 pages of formal drawings.

The return postcard constitutes *prima facie* evidence that 7 pages of formal drawing figures were filed on October 14, 2003. MPEP 503. A review of the application file reveals that there are 6 pages of drawing figures present.

Accordingly, the petition under 37 CFR 1.53(e) is **GRANTED**. Pursuant to petitioners' authorization, deposit account no. 50-0392 will be credited the \$130.00 fee submitted with the instant petition.

The application is being returned to Office of Initial Patent Examination for further processing, with a filing date of **October 14, 2003**, using the copy of Figures 9a and 9b submitted with the instant petition. Office records will be corrected to show that 7 pages of drawings were present

on initial filing.

Any inquiries pertaining to this matter may be directed to the undersigned at (703) 308-6712.

A handwritten signature in cursive script, appearing to read "E. Shirene Willis".

E. Shirene Willis  
Senior Petitions Attorney  
Office of Petitions